

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

Claims 1-6 (Cancelled).

Claims 7 (New): A radio communication method of a base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

step of transmitting code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations, and

step of receiving a completion message to indicate completion of the step of switching at one of the plurality of mobile stations, wherein

the timing information including an integer representing a frame at which the first code is switched to the second code.

Claim 8 (New): The radio communication method of claim 7, the radio communication method further comprising:

step of releasing the first code.

**Claim 9 (New):** The radio communication method of claim 7, wherein the completion message is transmitted from the one of the plurality of mobile stations to the base station controlling apparatus.

**Claim 10 (New):** A radio communication method of a base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

step of transmitting code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations; and

step of receiving a completion message to indicate completion of the step of switching at the one of the plurality of mobile stations, wherein

the timing information regarding timing of switching the first code to the second code.

**Claim 11 (New):** The radio communication method of claim 10, the radio communication method further comprising:

step of releasing the first code.

Claim 12 (New): The radio communication method of claim 10, wherein the completion message is transmitted from the one of the plurality of mobile stations to the base station controlling apparatus.

Claim 13 (New): A base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the base station controlling apparatus comprising

a code switching informing unit configured to transmit code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations; and

a code releasing unit configured to receive a completion message to indicate completion of switching at the one of the plurality of mobile stations, wherein the timing information including an integer representing a frame at which the first code is switched to the second code.

Claim 14 (New): A base station controlling apparatus of Claim 13, wherein the code releasing unit releases the first code after switching the first code to the second code.

Claim 15 (New): A base station controlling apparatus of Claim 13, wherein the code releasing unit receives the completion message from the one of the plurality of mobile stations.

Claim 16 (New): A base station controlling apparatus used for a radio communication system including a plurality of base stations and a plurality of mobile stations, employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the base station controlling apparatus comprising

a code switching informing unit configured to transmit code information by message to one of the plurality of base stations, said code information for switching a first code being used to a second code, so as to enable the one of the plurality of base stations to transmit timing information by message and to switch the first code to the second code based on the code information transmitted, the switching at the one of the plurality of base stations conducted in synchronization with the switching of the first code to the second code at the one of the plurality of mobile stations, the one of the plurality of mobile stations switching the first code to the second code based on the timing information transmitted by the one of the plurality of base stations; and

a code releasing unit configured to receive a completion message to indicate completion of switching at the one of the plurality of mobile stations; wherein the timing information regarding timing of switching the first code to the second code.

Claim 17 (New): A base station controlling apparatus of claim 16, wherein the code releasing unit releases the first code after switching the first code to the second code.

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Reply to Office Action of June 23, 2005

Claim 18 (New): A base station controlling apparatus of claim 16, wherein the code releasing unit receives the completion message from the one of the plurality of mobile stations.